

**REMARKS**

Claims 13-24 were previously pending in the application. By the Amendment, Claims 13 and 24 are currently amended, Claim 14 is canceled without prejudice, new Claims 25-30 have been added, and Claims 15-23 remain unchanged.

Claim 13 was rejected under 35 USC §102(b) as being anticipated by UK Patent Application No. GB 2 323 436 A (hereinafter "UK '436"). Claims 15 and 19 were rejected under 35 USC §103(a) as being unpatentable over UK '436. Claims 14, 18 and 20-23 were rejected under 35 USC §103(a) as being unpatentable over UK '436 in view of European Patent Application No. 0 156 717 A1 (hereinafter "EP '717"). Claims 16 and 17 were rejected under 35 USC §103(a) as being unpatentable over UK '436 in view of Codomo (US 3,946,364).

Independent Claim 13 recites a cooking device, comprising: a housing; a cooking chamber arranged in said housing, the cooking device having multiple operating modes indicating a stage of a cooking cycle and including at least a heating-up phase and a cooling phase; a door on said housing for closing said cooking chamber; and at least one control and display panel with an optical luminous display which can display the different operating modes of said cooking chamber and the on and/or off modes of said cooking chamber, wherein said luminous display includes a substantially linear luminous band.

Applicant has amended Claim 13 to clarify the term "operating modes" and to include the subject matter of Claim 14. Applicant believes there has been confusion due to the fact that the present application and the UK '436 reference interpret the term "operating modes" differently. Applicant believes the specification adequately supports the intended interpretation of this term, which is different than the definition provided in UK '436. However, Applicant hope this amendment of Claim 13 and the accompanying remarks further eliminate any confusion.

In the specification of the present application, the term "operating modes" is defined as a stage of a cooking cycle, such a heating-up phase or a cooling phase. The cooking chamber will go through multiple operating modes, or stages, during a cooking cycle. The operating mode will likely change several times as cooking cycle progresses through the various stages. Claim 13 defines the "operating modes" as "indicating a stage of a cooking cycle and including at least a heating-up phase and a cooling phase." Accordingly, the

display indicates the operating mode, or current stage of the cooking cycle existing in the cooking chamber.

The UK '436 reference defines the "cooking modes" or "operating modes" as specific oven settings that are selected by the user. "The selected mode of cooking: natural convection, fan heat, bottom heat, or top heat, optionally associated with a fan, then known as "bottom fan heat" and as "fan grill", is normally determined by the type of food to be cooked, and by what needs to be done in addition to cooking: drying (e.g. for tart pastry) or sealing (for meat), etc." (See page 1, lines 20-26) Page 2 of UK '436 provides a table listing the various cooking modes, which correspond to specific combination of heating elements and fans that will be utilized during the cooking cycle. UK '436 is intended as a simplified means for a non-professional user to more easily select the appropriate cooking cycle for their needs. The "operating modes" provide a general setting that will activate a specific cooking cycle utilizing the appropriate heating elements. UK '436 does not disclose a luminous display displaying an operating mode indicating a stage of a cooking cycle and including at least a heating-up phase and a cooling phase.

The UK '436 reference also discloses that the screen displays the state of progress in cooking, such as "Cooking now", "Will cook later", and "Cooking over". (See page 5, lines 31-34) These displays are equivalent to on, off, or delayed and merely indicate whether the cooking cycle is active or not. They do not indicate a stage of the cooking cycle. Therefore, the elements of Claim 13 are not disclosed by UK '436.

EP '717 does not cure the defects of UK '436. EP '717 discloses a linear display. However, EP '717 provides no indication that the linear display displays the different operating modes of said cooking chamber and the on and/or off modes of said cooking chamber indicating a stage of a cooking cycle and including at least a heating-up phase and a cooling phase, as recited in Claim 13. Rather, EP '717 merely includes a reference that the linear display indicates temperature.

Furthermore, there is no suggestion or motivation to combine the UK '436 and EP '717 references. As shown in Fig. 1, UK '436 already has a digital temperature display (17). There is no motivation or need to combine the additional linear display of EP '717 to the digital display already present in UK '436. Also, the prior art provides no teaching or suggestion of why such a combination would be desirable.

For these and other reasons, UK '436 and EP '717, either alone or in combination, do not teach or suggest the subject matter defined by independent Claim 13. Therefore, Claim 13 is allowable. Claims 15-23 depend from Claim 13 and are allowable for the same reasons and also because they recite additional patentable subject matter.

Independent Claim 24 recites a cooking device, comprising: a housing; a cooking chamber arranged in said housing, the cooking device having multiple operating modes indicating a stage of a cooking cycle and including at least a heating-up phase and a cooling phase; a door on said housing for closing said cooking chamber; at least one control and display panel having control elements for controlling operation of the cooking device and the cooking chamber, with said display panel being separate and distinct from said control elements; and said display panel comprising an optical luminous display configured for displaying each operating mode of the cooking chamber, including at least current operating mode, residual heat present in the chamber after the cooking chamber is no longer being heated, and the on and/or off modes of said cooking chamber.

Claim 24 has been amended to include a clarification of the term "operating modes". This amendment is substantially the same as the amendment to Claim 13 described above. Therefore, the remarks above relating to Claim 13 regarding the difference in the "operating modes" also apply to Claim 24.

In addition, Claim 24 has also been amended to clarify that the residual heat present in the chamber is the heat remaining in the chamber after the cooking chamber is no longer being heated. Normally, oven displays only displays the temperature within the cooking chamber during the cooking cycle. However, the oven may remain at an elevated temperature while it is cooling down after the cooking cycle is completed. The oven may be turned off, but this residual heat remains within the cooking chamber for a period of time. None of the cited references disclose displaying the residual heat present in the chamber, as recited in Claim 24.

For these and other reasons, UK '436 does not disclose the subject matter defined by independent Claim 24. Therefore, Claim 24 is allowable.

Regarding Codomo, Applicant reasserts that this reference is non-analogous art. The Examiner must find analogous art in order to rely on the art as a basis for rejection. To be analogous, the reference must either be in the field of Applicants' endeavor or be reasonably

pertinent to the particular problem with which the inventor was concerned. Applicant respectfully submits that Codomo is non-analogous prior art.

First, Codomo is clearly not in the Applicants' field of endeavor. Codomo discloses a method and apparatus for automatically sensing, displaying and recording one or more over-temperature events exhibited by a jet engine. Codomo is not related to cooking devices, ovens or any other type of household appliance. Therefore, Codomo is not in the Applicants' field of endeavor.

Second, Codomo is not reasonably pertinent to the particular problem with which the Applicant was concerned. A reference may be reasonably pertinent if it is one which logically would have commended itself to an inventor's attention in considering his problem. A person of ordinary skill in the art of ovens and cooking devices would not reasonably be expected or motivated to look to the art of jet engines. A reference regarding a method for sensing excessive temperature conditions in jet engine would not have logically commended itself to the attention of an inventor considering the problem of displaying the operating mode of an oven. The Applicant would not have logically considered Codomo because the reference is directed to an entirely different purpose.

Also, Codomo is specifically focused on sensing over-temperature conditions in jet engines that exceed thresholds for safe operating conditions. Sensing over-temperatures beyond a threshold is not a concern for the present application. Ovens and cooking devices generally include a variety of other temperature regulating devices that help prevent the temperature from exceeding desired values. However, the present application is focused on displaying the operating modes of the cooking device, not regulating excessive temperatures. The jet-engine sensing device of Codomo relates to a completely different field of endeavor than the cooking devices of the present application and is not reasonably pertinent to the display of cooking device operating modes. Accordingly, Codomo is non-analogous prior art and is not an appropriate basis for a rejection under 35 USC §103. Applicant respectfully requests that the rejections including Codomo be withdrawn.

New independent Claim 25 recites a method of displaying operating conditions of a cooking device having a housing, a cooking chamber arranged in said housing, the cooking device having multiple operating modes indicating a stage of a cooking cycle and including at least a heating-up phase and a cooling phase, a door on said housing for closing said cooking

chamber; and at least one control and display panel with an optical luminous display including a substantially linear luminous band, the method comprising the acts of: indicating the on and/or off modes of said cooking chamber with the display; indicating the current operating mode of said cooking chamber with the display; indicating a current temperature within the cooking chamber in the heating-up phase as a first band portion on the linear luminous band width a steady light and indicating a desired yet to be reached temperature within the cooking chamber as a second band portion with a blinking light, the illuminated length of said substantially linear luminous band being variable in relation to the temperature of said cooking chamber.

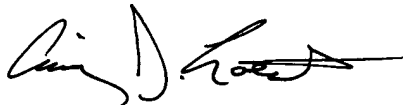
The prior art, particularly UK '436 and EP '717, do not disclose a method of displaying operating conditions of a cooking device as recited in Claim 25. More specifically, the prior art does not disclose, among other things, indicating the current operating mode of said cooking chamber with the display and indicating a current temperature within the cooking chamber in the heating-up phase as a first band portion on the linear luminous band width a steady light and indicating a desired yet to be reached temperature within the cooking chamber as a second band portion with a blinking light, the illuminated length of said substantially linear luminous band being variable in relation to the temperature of said cooking chamber.

Therefore, Applicants respectfully request allowance of independent Claim 25. Claims 26-30 depend from Claim 25 and should be allowed for the same reasons and also because they recite additional patentable subject matter.

**CONCLUSION**

In view of the above, entry of the present Amendment and allowance of Claims 13 and 15-30 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Craig J. Loest', with a long horizontal flourish extending to the right.

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April 17, 2006

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Attorney Docket No. 2001P16031WOUS

**CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10**

Express Mail mailing  
label number: ED 925040393 US

Serial No.: 10/771,923

Filing Date: 02/04/2004

Applicant: Gerd Wilsdorf

Title: COOKING DEVICE WITH LUMINOUS DISPLAY

Date of Deposit April 17, 2006

Type of Document(s) Certificate of Mailing (1 page);  
Fee Transmittal Form, Original and Copy (2 pages);  
Petition for Extension of Time, Original and Copy (2 pages);  
Request for Continued Examination (1 page);  
Amendment (11 pages);  
Return postcard.

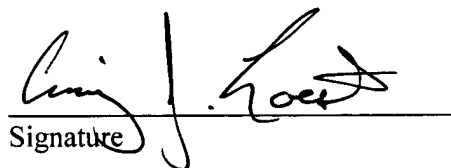
I hereby certify that the documents identified above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on April 17, 2006 and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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